

FIRST REGULAR SESSION

SENATE BILL NO. 264

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CRAWFORD.

Read 1st time January 16, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1352S.01I

AN ACT

To repeal section 620.010, RSMo, and to enact in lieu thereof two new sections relating to the state council on the arts.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 620.010, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 26.275 and 620.010, to read as
3 follows:

**26.275. The Missouri state council on the arts, chapter 185, is
2 transferred by type II transfer to the office of the lieutenant
3 governor. The provisions of section 1 of the Omnibus State
4 Reorganization Act of 1974 relating to the manner and procedures for
5 transfers of state agencies shall apply to the transfer provided in this
6 section, provided that the term "director of the department", as used in
7 paragraph (b) of subdivision (1) of subsection 7 of section 1 of such act,
8 shall include the lieutenant governor solely for the purpose of
9 transferring the state council on the arts to the office of the lieutenant
10 governor. For the sole purpose of transferring the state council on the
11 arts to the office of the lieutenant governor, in the event of any
12 conflict, this section shall supersede section 1 of the Omnibus State
13 Reorganization Act of 1974.**

620.010. 1. There is hereby created a "Department of Economic
2 Development" to be headed by a director appointed by the governor, by and with
3 the advice and consent of the senate. All of the general provisions, definitions
4 and powers enumerated in section 1 of the Omnibus State Reorganization Act of
5 1974 shall continue to apply to this department and its divisions, agencies and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

6 personnel.

7 2. The powers, duties and functions vested in the public service
8 commission, chapters 386, 387, 388, 389, 390, 392, 393, and others, and the
9 administrative hearing commission, sections 621.015 to 621.198 and others, are
10 transferred by type III transfers to the department of economic development. The
11 director of the department is directed to provide and coordinate staff and
12 equipment services to these agencies in the interest of facilitating the work of the
13 bodies and achieving optimum efficiency in staff services common to all the
14 bodies. Nothing in the Reorganization Act of 1974 shall prevent the chairman of
15 the public service commission from presenting additional budget requests or from
16 explaining or clarifying its budget requests to the governor or general assembly.

17 3. The powers, duties and functions vested in the office of the public
18 counsel are transferred by type III transfer to the department of economic
19 development. Funding for the general counsel's office shall be by general
20 revenue.

21 4. The public service commission is authorized to employ such staff as it
22 deems necessary for the functions performed by the general counsel other than
23 those powers, duties and functions relating to representation of the public before
24 the public service commission.

25 5. All the powers, duties and functions vested in the tourism commission,
26 chapter 258 and others, are transferred to the "Division of Tourism", which is
27 hereby created, by type III transfer.

28 6. All the powers, duties and functions of the department of community
29 affairs, chapter 251 and others, not otherwise assigned, are transferred by type
30 I transfer to the department of economic development, and the department of
31 community affairs is abolished. The director of the department of economic
32 development may assume all the duties of the director of community affairs or
33 may establish within the department such subunits and advisory committees as
34 may be required to administer the programs so transferred. The director of the
35 department shall appoint all members of such committees and heads of subunits.

36 7. [The state council on the arts, chapter 185 and others, is transferred
37 by type II transfer to the department of economic development, and the members
38 of the council shall be appointed by the director of the department.

39 8.] The Missouri housing development commission, chapter 215, is
40 assigned to the department of economic development, but shall remain a
41 governmental instrumentality of the state of Missouri and shall constitute a body

42 corporate and politic.

43 [9.] 8. All the authority, powers, duties, functions, records, personnel,
44 property, matters pending and other pertinent vestiges of the division of
45 manpower planning of the department of social services are transferred by a type
46 I transfer to the "Division of Workforce Development", which is hereby created,
47 within the department of economic development. The division of manpower
48 planning within the department of social services is abolished. The provisions of
49 section 1 of the Omnibus State Reorganization Act of 1974, Appendix B, relating
50 to the manner and procedures for transfers of state agencies shall apply to the
51 transfers provided in this section.

52 [10.] 9. All the authority, powers, functions, records, personnel, property,
53 contracts, matters pending and other pertinent vestiges of the division of
54 employment security within the department of labor and industrial relations
55 related to job training and labor exchange that are funded with or based upon
56 Wagner-Peyser funds, and other federal and state workforce development
57 programs administered by the division of employment security are transferred by
58 a type I transfer to the division of workforce development within the department
59 of economic development.

60 [11.] 10. Any rule or portion of a rule, as that term is defined in section
61 536.010, that is created under the authority delegated in this section shall
62 become effective only if it complies with and is subject to all of the provisions of
63 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
64 nonseverable and if any of the powers vested with the general assembly pursuant
65 to chapter 536 to review, to delay the effective date, or to disapprove and annul
66 a rule are subsequently held unconstitutional, then the grant of rulemaking
67 authority and any rule proposed or adopted after August 28, 2008, shall be
68 invalid and void.

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